

AGENDA
City of Lynnwood
Transportation Benefit District (TBD) Board
Council Chambers, City Hall
19100 44th Avenue W, Lynnwood, WA, 98036

Special Meeting
April 20, 2016
7:00 P.M.

10 Call to Order

20 Roll Call

30 Approval of Minutes – March 14, 2016 Regular Meeting

40 Citizen Comments and Communications

50 Presentation, Discussion and Possible Action or other Disposition:

- **Transportation Funding Status and Needs**
- **Potential Funding Sources and Next Steps for Potential Funding, Including But Not Limited to Options for Possible Ballot Measure**
- **Possible motion relating to potential ballot measure resolution for increased sales tax and/or increased or decreased vehicle license fee funding options**
- **Possible motion relating to potential ordinance for increased or decreased vehicle license fee funding options**
- **Possible motion to set a date for a public hearing on funding options and related issues**

60 Scheduling Upcoming Special Meeting(s)

70 Adjournment

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**City of Lynnwood
Transportation Benefit District Board**

Item 30

**Special Meeting
April 20, 2016
7:00 P.M.**

TITLE: Approval of Minutes – March 14, 2016 Regular Meeting

DEPARTMENT: Public Works

DEPARTMENT CONTACT: David Mach

BACKGROUND: The March 14, 2016 regular meeting was the most recently held Board meeting.

ACTION: Approve the meeting minutes from the March 14, 2016 regular meeting

ATTACHMENTS:

- 1) March 14, 2016 regular meeting minutes

CITY OF LYNNWOOD
TRANSPORTATION BENEFIT DISTRICT BOARD REGULAR MEETING MINUTES
March 14, 2016

10. CALL TO ORDER – The March 14, 2016 Regular Meeting of the City of Lynnwood Transportation Benefit District (TBD) Board, held in the Council Chambers of Lynnwood City Hall, was called to order by Board President Cotton at 6:00 p.m.

20.

ROLL CALL

Board President Ian Cotton
Board Vice President Benjamin Goodwin
Board Member M. Christopher Boyer
Board Member Ruth Ross
Board Member Shannon Sessions
Board Member Shirley Sutton
Board Member George Hurst

STAFF ATTENDING

PW Director Franz
Deputy PW Director Elekes
Resident Cap. Project Eng. Mach
Finance Director Springer
City Attorney Larson
Strategic Planner Loch

Council Assistant Beth Morris

Board President Cotton read the Introductory Statement regarding the formation and purpose of the Transportation Benefit District (TBD).

30. APPROVAL OF MINUTES – FEBRUARY 17, 2016 SPECIAL MEETING

Motion made by Board Member Boyer, seconded by Board Member Hurst, to approve the minutes as presented. Motion passed unanimously.

40. VOUCHER APPROVAL

Motion made by Board President Cotton, seconded by Board Member Ross, to approve claims in the amount of \$5,727.48. Motion passed unanimously.

50. CITIZEN COMMENTS AND COMMUNICATIONS

None

60. ADMINISTRATIVE PROCEDURES FOR NOTICING TBD MEETINGS

Deputy Director Elekes gave a presentation regarding how TBD meetings are to be noticed to the public. He explained that regular meetings are posted on the website, but special TBD meetings are posted in the three locations (newspaper of record – the Herald, the website, and the front door of City Hall) as required by state law with a minimum of 24 hours advance notice.

1 Board Member Sessions thanked staff for the presentation and for posting the notices as
2 required, but pointed out that most people aren't interested in the notices because it sounds
3 boring. She asked about rules regarding board members or council members getting
4 information from citizens in other ways such as social networking. City Attorney Larson
5 commented it is allowable to talk to citizens about upcoming topics that will be covered by
6 the TBD Board. It's just not allowable to do it with a majority of the Board present. Board
7 Member Sessions indicated she would look into some creative ways to spur more
8 involvement and interest in the TBD Board. Deputy Director Elekes commented that staff
9 also works closely with Julie Moore on public information efforts in newsletters and things
10 like that. They are helping to prepare for an outreach meeting in May at the Convention
11 Center where staff will have a table concerning the TBD. Board Member Sessions suggested
12 giving away free food to drive interest. Deputy Director Elekes noted that if and when the
13 City gets near a ballot measure, there are a lot of rules that would apply to the Council. City
14 Attorney Larson agreed that they will have a special discussion surrounding that when the
15 time comes.

16
17 Board Member Sutton asked about advertising on a reader board like the one at the
18 recreation center. She pointed out that there are individuals who do not have access to
19 computers, but they might be out on the streets.

20
21 Board Member Hurst concurred with the reader board idea. He thinks IT can adapt the
22 website to incorporate more meetings on the front page because it is burdensome to try to
23 find the TBD website. Making the schedule easier to find would be better.

24
25 Board President Cotton recommended staff look into incorporating a calendar that contains
26 all meetings on the city website.

27
28 70. PRESENTATION, DISCUSSION, AND POSSIBLE ACTION OR OTHER DISPOSITION:

- 29 • TRANSPORTATION FUNDING STATUS AND NEEDS
30 • ELECTION RESULTS FROM 2014 GENERAL ELECTION PROPOSITION #1 AND
31 2015 GENERAL ELECTION PROPOSITION #1
32 • POTENTIAL FUNDING SOURCES AND NEXT STEPS FOR POTENTIAL
33 FUNDING, INCLUDING BUT NOT LIMITED TO OPTIONS FOR POSSIBLE
34 BALLOT MEASURE
35 • POSSIBLE MOTION RELATING TO POTENTIAL BALLOT MEASURE
36 RESOLUTION FOR INCREASED SALES TAX AND/OR INCREASED OR
37 DECREASED VEHICLE REGISTRATION FEE FUNDING OPTIONS

38
39 Resident Capital Project Engineer replied to a question from a previous meeting
40 regarding the timeline associated with potential ballot measures. Table 2 on page 60-3
41 lists those dates. This information is also available on the Snohomish County Election
42 Office's website.

43
44 Board Member Boyer asked if August is a special election. Mr. Mach explained it is a
45 primary election and the cost is typically more expensive. The November general
46 election ballot would be less expensive. Two years ago it was about \$8,000 for the
47 general election and at least double that for the primary election.

1
2 Board Member Sessions asked if there is a downside to doing it in the November general
3 election with the presidential election. Staff was not sure.
4

5 Mr. Mach then replied to a question from a previous meeting regarding pavement cost
6 breakdown. This information is provided on page 60-7. This table provides a breakdown
7 for all the streets in the presentation at the last meeting based on a cost per square foot.
8 These are all roads that need to be overlaid in the very near term. The range is \$6.5 to
9 \$8.6 million for those roads on which maintenance has been deferred. Deputy Director
10 Elekes explained staff will be coming before the City Council later this year with a
11 consultant contract to rerate the street system using digital methodologies to re-evaluate
12 a sustainable annual program to catch up over a 10-12 year period. Director Franz noted
13 that this would be contained in the \$4 million per year ongoing need.
14

15 Board Member Hurst asked about rating these roads as far as their traffic counts. Mr.
16 Mach noted that information is available.
17

18 Mr. Mach referred to pages 60.4-60.6 which contains factual information about voting
19 results from the previous elections. Board Member Boyer pointed out that the difference
20 between passage and defeat on Proposition #1 was right around 500 votes which was not
21 a large number.
22

23 Discussion:
24

25 Board President Cotton solicited comments regarding funding options noting that this
26 matter has been kicked down the road in recent years. He agreed with Deputy Director
27 Elekes that payments have come due that have been deferred and that costs become
28 exponentially more expensive as they are deferred.
29

30 Vice President Goodwin expressed concern about proposing an increase in sales tax
31 because the City is nearing the 10% mark and this could negatively impact vehicle sales.
32 On the other hand, it is necessary to find a way to fix and fund the maintenance of the
33 roads. He said he was hesitant about increasing car tab fees because this is more of a
34 burden on just the citizens of Lynnwood as opposed to something that is spread out to
35 everyone that comes to Lynnwood.
36

37 Board Member Sessions agreed with Board President Cotton that now is the time for the
38 Board to be brave and decisive even though this is difficult decision. She considers the
39 condition of the roads a public safety issue because of the potential for more accidents
40 and also the challenges emergency vehicles face in responding to incidents on roads that
41 aren't taken care of. She said she is interested in considering increasing the license tab
42 fees from \$20 up to \$40. She also is interested in spreading out the burden to all the
43 users of the roads and not just Lynnwood citizens so she is in favor of increasing the
44 sales tax .2% which could bring in \$4 million a year. In addition to the revenue that this
45 would provide and the fact that it would spread out the burden, she pointed out that this
46 is a choice tax because people can choose to buy things or not. Additionally, she wants
47 the Council to put more emphasis on the Street Fund. She noted that if the City isn't

1 actively trying to fix streets and working on different methods of paying for them, they
2 will not be as likely to get grants. She asked if there is any local jurisdiction over “sin
3 tax” type items. Finance Director Springer stated the City doesn’t have any authority
4 over the liquor tax, but the gambling tax on pull tabs is set by the City.
5

6 Board Member Boyer asked Director Springer what the City brings in per year from the
7 pull tabs. Director Springer didn’t have it off the top of her head, but offered to provide
8 it to the Board. Board Member Boyer recalled that it was a small number such as
9 \$40,000. Director Springer concurred it was pretty small.
10

11 Board Member Sutton asked if the sales tax and the license tabs are the only options
12 available. Board President Cotton commented those are the only options available to the
13 TBD, but the Council has other mechanisms available.
14

15 Board Member Hurst said he thinks this is more of a Council solution as opposed to a
16 TBD Board solution. He would like to see a \$6-\$8 million levy LID lift of property taxes
17 for roads. He stated he was not in support of sales taxes. He noted that ST3 will be
18 coming, and they will likely be asking for a sales tax. The Council will need to support
19 that if they want the type of light rail system that is planned. He thinks the City would
20 also be up against another Tim Eyman initiative to limit the tabs. He suggested that the
21 Board could take away the license tabs in exchange for a levy. He believes the citizens
22 would respond if they could see the dire need for road funding.
23

24 Board Vice President Goodwin commented that with a choice tax the downside would
25 be the people could choose to shop elsewhere, especially for higher priced items like
26 vehicles. He thinks Board Member Hurst’s idea is very plausible.
27

28 Board Member Ross commented that even though the last proposition only lost by 500
29 votes it was enough to send the message that people thought it was too much. She said
30 that she would be supportive of the TBD Board increasing the tab fee from \$20 to \$40.
31 This would give a small revenue stream that could be dedicated to road maintenance.
32 She spoke to the critical need for education if the Council decides to go out for a vote
33 since most people are not aware that there is a road maintenance issue. She thinks the
34 bigger conversation has to be among the Council.
35

36 Deputy Director Elekes asked City Attorney Larson if a Levy LID Lift would need 60%
37 to pass. City Attorney Larson thought that was correct, but indicated she would double
38 check.
39

40 Board President Cotton agreed with Board Member Ross that .2% was too much as
41 evidenced by the last vote, but he believes the Board needs to do something. He
42 suggested considering a .1% sales tax increase and a tab increase. He asked if they could
43 go out for .05%. City Attorney Larson replied that they could.
44

45 Board President Cotton solicited comments on .1% sales tax or .05% sales tax. Board
46 Member Boyer said he would be interested in a .1% sales tax plus a \$20 to \$40 tab fee
47 increase.

1
2 There was consensus to have staff prepare separate resolutions for .1% sales tax; an
3 increase from \$20 to \$40 tab fees; and a hybrid of .1% sales tax and a tab fee increase.
4 Deputy Director Elekes noted that staff could also provide a high-level schedule of the
5 types of projects that could be done with those options.
6

7 80. SCHEDULING UPCOMING MEETINGS:
8

9 • CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON RESOLUTION #7
10 TO AMEND THE TBD CHARTER
11

12 Board President Cotton explained that currently Regular TBD Board meetings are held
13 on the second Monday of March and the second Monday of October of each year at 6:00
14 p.m. Staff has prepared a resolution for revising the regular TBD Board meeting times if
15 the Board wishes to do so.
16

17 Board Member Boyer spoke in support of amending the times of the Regular Board
18 Meetings to 7:00 p.m. He noted that it is very difficult for several board members to
19 make it to 6:00 meetings. More importantly citizens are used to coming to City Hall at
20 7:00 p.m. for meetings that affect them. It's also difficult for anyone who works
21 downtown to get here much before 7:00 p.m. Changing the time to 7:00 p.m. could
22 increase public involvement.
23

24 City Attorney Larson noted that if they change the time to 7:00 p.m. the meeting would
25 conflict with the Regular Council meetings. There was discussion about options. Board
26 Member Ross suggested moving the meetings to the first Wednesday at 7:00 p.m. to
27 avoid the conflict with Council meetings.
28

29 Board President Cotton summarized the motion to amend Resolution No. 7, lines 29 and
30 30, to read:

31 *Regular Board meetings shall be held on the **third Wednesday** of March and the*
32 ***third Wednesday** of October each year at 7:00 p.m. . . .*
33

34 *Motion made by Board President Cotton, seconded by Board Member Boyer, to approve*
35 *Resolution No. 7, a Resolution of the City of Lynnwood, Washington, Transportation*
36 *Benefit District Board, Amending the District's Charter as discussed. Motion passed*
37 *unanimously (7-0).*
38

39 • POTENTIAL UPCOMING SPECIAL MEETING(S)
40

41 *Scheduling Motion made by Board President Cotton, seconded by Board Member Boyer,*
42 *to meet on Monday, April 4 at 7:00 p.m. just prior to the City Council Work Session.*
43 *Motion passed unanimously (7-0).*
44

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2 90. ADJOURNMENT
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4 The meeting was adjourned at 6:59 p.m.
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Ian Cotton, TBD Board President

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Sonja Springer
Finance Director, Acting as Board Treasurer

**City of Lynnwood
Transportation Benefit District Board**

Item 50

**Special Meeting
April 20, 2016
7:00 P.M.**

TITLE: Presentation, Discussion and Possible Action or other Disposition:

- Transportation Funding Status and Needs
- Potential Funding Sources and Next Steps for Potential Funding, Including But Not Limited to Options for Possible Ballot Measure
- Possible motion relating to potential ballot measure resolution for increased sales tax and/or increased or decreased vehicle license fee funding options
- Possible motion relating to potential ordinance for increased or decreased vehicle license fee funding options
- Possible motion to set a date for a public hearing on funding options and related issues

DEPARTMENT: Public Works

DEPARTMENT CONTACT: Bill Franz/Jeff Elekes/David Mach

BACKGROUND: At previous meetings, the Board has discussed potential funding options and the possibility of providing direction to staff to draft a potential ballot measure.

Staff will provide a recap of the presentations provided to the Board at their past meetings regarding transportation funding status, needs, potential funding sources and next steps relating to the funding options. The TBD Board has the ability to proceed with funding options that include, but are not limited to, the following:

TABLE 1 – TBD FUNDING OPTIONS		
#	TBD Funding Options	New Annual Revenue
A	Postpone decision or no changes	\$0
B	Increase existing \$20 vehicle tab fee to \$100	\$20 to \$40 - \$0.5M* \$20 to \$60 - \$1.0M \$20 to \$80 - \$1.5M \$20 to \$100 - \$2.0M
C	0.1% sales tax increase minus \$20 vehicle tab fee	\$1.5M
D	0.1% sales tax increase	\$2.0M
E	0.2% sales tax increase minus \$20 vehicle tab fee	\$3.5M
F	0.2% sales tax increase	\$4.0M

*** NOTE:** Due to recent legislative changes, increasing the vehicle tab fee from \$20 to \$40 does not require a public vote. If the Board decides to move forward with this option, the Board would need to adopt an ordinance to this effect.

1 Regarding a potential ballot measure, the following table provides options for upcoming
 2 election dates:

TABLE 2 – POTENTIAL ELECTION DATES	
Option A	<p>August 2nd 2016 Primary/Special Election:</p> <ul style="list-style-type: none"> • Provide notice for Pro/Con committee members in late April • Special TBD Board meeting in early May to appoint pro/con committee members and finalize explanatory statement (prior to May 13th) • Resolutions/measures due May 13th • Explanatory statement due May 13th • Pro/Con committee appointments due May 13th • Pro/Con statements due May 24th • Pro/Con rebuttal statements due May 27th • Potential TBD meeting in June: Discuss “Fact Sheet” and web content • Voter pamphlets mailed July 13th • Proposition “Fact Sheet” mailed and web content released in July • Primary/special election day August 2nd <p>Estimated Snohomish County elections fee: +/- \$12,000</p>
Option B	<p>November 8th 2016 General Election:</p> <ul style="list-style-type: none"> • Provide notice for Pro/Con committee members in July • Special TBD Board meeting in July to appoint pro/con committee members and finalize explanatory statement (prior to August 2nd) • Resolutions/measures due August 2nd • Explanatory statements due August 2nd • Pro/Con committee appointments due August 2nd • Pro/Con statements due August 16th • Pro/Con rebuttal statements due August 19th • Potential TBD meeting in September: Discuss “Fact Sheet” and web content • Voter pamphlets mailed October 19th • Proposition “Fact Sheet” mailed and web content released in October • General election day November 8th <p>Estimated Snohomish County elections fee: +/- \$8,000</p>
Option C	February 2017 Special Election (dates have not been released yet)

3
 4 **ACTION:** Discuss and possible action

5
 6 **ATTACHMENTS:** 1) Resolution #8, 2) Ordinance #10, Plausible project list

7
 8 **NOTE:** Please bring transportation binders that were previously provided to the Board
 9 Members. If you no longer have a binder, please notify staff and we will provide you
 10 with a new binder.
 11

1 LYNNWOOD TRANSPORTATION BENEFIT DISTRICT

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3 **RESOLUTION NO. 8**

4
5 A RESOLUTION OF THE CITY OF LYNNWOOD,
6 WASHINGTON, TRANSPORTATION BENEFIT DISTRICT
7 BOARD, PROVIDING FOR A BALLOT PROPOSITION TO BE
8 SUBMITTED TO THE QUALIFIED ELECTORS OF THE
9 DISTRICT ON <insert date>, TO IMPOSE A SALES AND USE
10 TAX IN THE AMOUNT OF ONE-TENTH OF ONE PERCENT
11 (0.1%) WITHIN THE BOUNDARIES OF THE DISTRICT FOR
12 A PERIOD OF TEN YEARS TO FUND OR FINANCE
13 SPECIFIED TRANSPORTATION IMPROVEMENTS.
14

15 WHEREAS, the City of Lynnwood (the "City") approved Ordinance No. 2837 on May
16 24, 2010, creating the Lynnwood Transportation Benefit District ("TBD") of the City of
17 Lynnwood, Washington (the "District") pursuant to Chapter 36.73 RCW; and
18

19 WHEREAS, the City has identified the sales and use tax as an authorized source of
20 revenue identified in Chapter 36.73 RCW to finance various transportation improvements and
21 operation, preservation, and maintenance of transportation facilities within the City; and
22

23 WHEREAS, the District is authorized pursuant to RCW 36.73.040(3)(a) to impose a
24 sales and use tax in accordance with RCW 82.14.0455 in an amount up to two-tenths of one
25 percent (0.2%) for a period of ten years upon a favorable vote of the qualified electors within the
26 District for the purpose of funding or financing certain transportation improvements; and
27

28 WHEREAS, with voter approval, the District may impose a sales and use tax upon the
29 occurrence of any taxable event within the boundaries of the District to fund or finance
30 transportation improvements; and
31

32 WHEREAS, if approved by the voters, the sales and use tax will apply to persons who
33 shop and thereby use the roads in the City and not just to City residents; and
34

35 WHEREAS, a sales and use tax of one-tenth of one percent (0.1%) is estimated to
36 generate an average of \$2,000,000 of additional revenue per year, which would be used entirely
37 to fund the shortfall in funding for the projects included in the City's Transportation Plan, and as
38 allowed by State law; now, therefore
39

40 THE BOARD OF THE CITY OF LYNNWOOD, WASHINGTON,
41 TRANSPORTATION BENEFIT DISTRICT, DO RESOLVE AS FOLLOWS:
42

43 **Section 1. Current Purpose and Need.**
44

45 The Governing Board of the District (the "Board") hereby finds that the best interests of the
46 inhabitants of the District require the District to impose a sales and use tax through this

Resolution in the amount of one-tenth of one percent (0.1%) pursuant to RCW 36.73.040(3)(a) and RCW 82.14.0455 for the purpose of providing a portion of the funds necessary to finance transportation improvements.

The following items are identified as transportation improvements:

- 1) Preventative and routine pavement maintenance and reconstruction which extends the life cycle of the street pavement section, including but not limited to pavement repair, sub-base reconstruction, overlay, chip seal, and patching;
- 2) Street and traffic maintenance and operations, including but not limited to signing, striping, sidewalks, and traffic signals; and
- 3) Other projects as identified in the City's Transportation Plan

The cost of all necessary design, engineering, financial, legal and other consulting services, inspection and testing, administrative and relocation expenses, and other costs incurred in connection with the foregoing TBD improvements shall be deemed a part of the costs of the TBD improvements.

The Board shall determine the application of moneys available for the TBD improvements so as to accomplish, as nearly as may be practical, all of the TBD improvements. In the event that the proceeds of sales and use taxes authorized herein, plus any other money of the District legally available therefore, are insufficient to accomplish all of the TBD improvements, the Board shall use the available funds for paying the cost of those portions of the TBD improvements deemed by the Board most necessary and in the best interests of the District.

The Board shall determine the exact locations and specifications for the elements of the TBD improvements as well as the timing, order, and manner of implementing or completing the TBD improvements. The Board may alter, make substitutions to, and amend the TBD improvement descriptions as it determines is in the best interests of the District consistent with the general descriptions provided above and in accordance with the material change policy adopted by the Board and the notice, hearing, and other procedures described in Chapter 36.73 RCW, including RCW 36.73.050(2)(b), in each case as the same may be amended from time to time.

If the Board shall determine that it has become impractical to acquire, construct, or implement all or any portion of the TBD improvements by reason of changed conditions, incompatible development, costs substantially in excess of the amount of sales and use tax proceeds estimated to be available, or acquisition by a superior governmental authority, the Board shall not be required to acquire, construct, or implement such portions. If all of the TBD improvements have been acquired, constructed, implemented or duly provided for, or found to be impractical, the Board may apply the sales and use tax proceeds (including earnings thereon) or any portion thereof to other transportation improvements then identified in the City's Transportation Improvement Program in accordance with the material change policy adopted by the Board and the notice, hearing, and other procedures described in Chapter 36.73 RCW, including RCW 36.73.050(2)(b), in each case as the same may be amended from time to time.

Section 2. Findings of Fact.

1. The Lynnwood Transportation Benefit District is permitted to place a ballot measure before the voters and is so authorized pursuant to RCW 36.73.040(3)(a) to impose a sales and use tax in accordance with RCW 82.14.0455.
2. The provisions of Ordinance No. 2837 still adequately state the purpose and need for the Transportation Benefit District Governing Board.

Section 3. Ballot Measure.

It is hereby found and declared that the best interests of the District require the submission to the qualified electors of the District a proposition whether the District shall impose a sales and use tax within the limitations established in RCW 82.14.0455 for their ratification or rejection at a general election to be held on <insert date> for the purpose of providing funds necessary to pay or finance a portion of the costs of the improvements. The Snohomish County Auditor, as *ex officio* supervisor of elections in Snohomish County, Washington, is hereby requested to call and conduct such election to be held within the District on such day and to submit to the qualified electors of the District for their approval or rejection, a proposition to impose a sales and use tax in the amount of one-tenth of one percent (0.1%) of the selling price in the case of a sales tax, or value of the article used in the case of the use tax. The sales and use tax authorized by this section is in addition to any other taxes authorized by law, shall be collected from those persons who are taxable by the State of Washington under Chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the boundaries of the District, and shall be imposed for a period of ten years from its first date of collection. Upon approval of the voters of the proposition hereinafter set forth, the District may use proceeds of such sales and use tax for the purpose of paying or financing a portion of the costs of TBD improvements. The Treasurer of the Board is hereby authorized and directed to certify said proposition to said official in the following form:

**LYNNWOOD TRANSPORTATION BENEFIT DISTRICT
LYNNWOOD, WASHINGTON
SALES AND USE TAX FOR TRANSPORTATION IMPROVEMENTS**

The Board of the Lynnwood Transportation Benefit District, Lynnwood, Washington, adopted Resolution 8 concerning a sales and use tax to fund transportation improvements. This proposition would authorize a sales and use tax of one-tenth of one percent (0.1%) to be collected within the District in accordance with RCW 82.14.0455 for a term of ten years. Such revenues would be used for the purpose of funding the following transportation improvements: preventative and routine pavement maintenance and reconstruction, street and traffic maintenance and operations, and other capital projects as identified in the City's Transportation Plan. Should this proposition be:

Approved.....☐
Rejected.....☐

Section 4. Corrections.

The Treasurer of the District and the codifiers of this resolution are authorized by the Lynnwood Transportation Benefit District Governing Board to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's/ clerical errors, references, resolution numbering, section/subsection numbers and any references thereto, and to make corrections or revisions consistent with the requirements of the Snohomish County Prosecutor's office which do not change the substantive meaning of this resolution.

Section 5. Severability.

If any section, sentence, clause, or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or constitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this resolution.

Section 6. Effective Date.

This Resolution shall be in full force and effect from and after its adoption and approval.

PASSED BY THE LYNNWOOD TRANSPORTATION BENEFIT DISTRICT BOARD, the _____ day of _____, 2016.

APPROVED:

Ian Cotton, TBD Board President

ATTEST/AUTHENTICATED:

Sonja Springer
Finance Director, acting as Board Treasurer

APPROVED AS TO FORM:

Rosemary Larson
City Attorney, acting as Board Attorney

FILED WITH ADMINISTRATIVE SERVICES: _____

PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD: _____

EFFECTIVE DATE: _____

RESOLUTION NUMBER: _____

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2
3 **CITY OF LYNNWOOD**
4 **TRANSPORTATION BENEFIT DISTRICT**

5
6 **ORDINANCE NO. 10**
7

8
9 AN ORDINANCE OF THE CITY OF LYNNWOOD,
10 WASHINGTON, TRANSPORTATION BENEFIT DISTRICT,
11 INCREASING THE VEHICLE LICENSE FEE ESTABLISHED
12 IN ORDINANCE NO. 2 AND AUTHORIZING CERTAIN
13 PROJECTS TO BE FUNDED; AND PROVIDING FOR
14 SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY
15 PUBLICATION.

16
17
18 WHEREAS, Chapter 36.73 RCW and RCW 35.21.225 authorize the City of Lynnwood
19 City Council to establish a Transportation Benefit District within the City's jurisdiction for the
20 purpose of acquiring, constructing, improving, providing, and funding transportation
21 improvements within the district that are consistent with existing state, regional, and local
22 transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and
23

24 WHEREAS, the City Council of the City of Lynnwood found it to be in the best interests
25 of the City to establish a citywide Transportation Benefit District consistent with Chapter 36.73
26 RCW, to protect the City's long term investments in that infrastructure, to reduce the risk of
27 transportation facility failures and improve safety, to continue optimal performance of the
28 infrastructure over time, and to avoid more expensive infrastructure replacements in the future;
29 and
30

31 WHEREAS, in Ordinance No. 2837, the City Council of the City of Lynnwood
32 established a Transportation Benefit District as authorized by RCW 35.21.225 and subject to the
33 provisions of RCW 36.73; and
34

35 WHEREAS, the Transportation Benefit District includes the entire City of Lynnwood as
36 the boundaries currently exist or as they are expanded upon annexation; and
37

38 WHEREAS, RCW 36.73.065 authorizes a Transportation Benefit District to impose, by
39 majority vote of the district's governing board, up to forty dollars (\$40) of the vehicle license fee
40 authorized in RCW 82.80.140, provided an annual vehicle license fee of twenty dollars (\$20.00)
41 has been imposed for at least twenty-four months; and
42

1 WHEREAS, in Ordinance No. 2 passed on November 30, 2010, the Lynnwood
2 Transportation Benefit District Board established an annual vehicle license fee in the amount of
3 twenty dollars (\$20.00); and
4

5 WHEREAS, on _____, 2016, the Lynnwood Transportation Benefit District Board
6 held a public hearing to solicit public comment regarding a proposal to increase the annual
7 vehicle license fee to forty dollars (\$40.00), among other funding options, and the projects to be
8 funded with those revenues; and
9

10 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District finds it
11 in the best interests of the District to increase the annual vehicle fee from twenty dollars (\$20.00)
12 to forty dollars (\$40.00) for the purpose of making transportation improvements that preserve,
13 maintain, and improve the transportation infrastructure of the City of Lynnwood, consistent with
14 Chapter 36.73 RCW; and
15

16 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District has
17 determined that fee increase shall begin as of <insert date>; and,
18

19 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District finds it
20 in the best interest of the District to fund Street Fund 111 and various projects/programs in the
21 City of Lynnwood Capital Facilities Plan, as stated in Section 3 below; NOW, THEREFORE,
22

23 THE BOARD OF THE CITY OF LYNNWOOD, WASHINGTON,
24 TRANSPORTATION BENEFIT DISTRICT, DO ORDAIN AS FOLLOWS:
25

26 Section 1. Increase of the Annual Vehicle Fee. The annual vehicle license fee established in
27 Ordinance No. 2 in the amount of twenty dollars (\$20.00), is increased to forty dollars (\$40.00),
28 consistent with RCW 36.73.065, to be collected by the Washington Department of Licensing on
29 qualifying vehicles as set forth in RCW 82.80.140 and Chapters 36.73 and 46.16 RCW.
30

31 Section 2. Effective Date of Fee Collection. The increased vehicle license fee shall take effect
32 for vehicle license renewals due on or after <insert date>, or as soon thereafter as the
33 Washington Department of Licensing is reasonably able to incorporate collection of the \$40 fee.
34 The increased vehicle license fees will not be collected sooner than six months after approval as
35 provided in RCW 82.80.140. The existing annual vehicle license fee established by Ordinance
36 No. 2 in the amount of twenty dollars (\$20.00) shall remain in effect and be collected by the
37 Department of Licensing until the effective date of the increased vehicle license fee established
38 by this Ordinance.
39

40 Section 3. Projects. Funding shall be used for the following transportation improvements:
41 preventative and routine pavement maintenance and reconstruction, street and traffic
42 maintenance and operations, and other capital project as identified in the City's Transportation
43 Plan.
44

1 Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be
2 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
3 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,
4 clause or phrase or word of this ordinance.
5

6 Section 5. Effective Date. This ordinance shall take effect five (5) days after passage and
7 publication of an approved summary thereof consisting of the title.
8

9 PASSED this _____ day of _____, 2016 and signed in authentication of its passage this
10 _____ day of _____, 2016.
11
12
13

14 _____
15 Ian Cotton
TBD President

16
17 ATTEST:

APPROVED AS TO FORM:

18
19
20 _____
21 Sonja Springer
22 Finance Director, acting as
23 Board Treasurer
24

Rosemary Larson
City Attorney, acting as Board Attorney

25
26
27 FILED WITH ADMINISTRATIVE SERVICES: _____

28 PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD: _____

29 PUBLISHED: _____

30 EFFECTIVE DATE: _____

31 ORDINANCE NUMBER: _____

Plausible Investment Strategy over the next 10 years

	A	B	C	D
1	REVENUE			
2				
3	Existing \$20 vehicle tab	5,000,000		
4	Potential vehicle tab increase (\$20 to \$40)	5,000,000		
5	Potential 0.1% sales tax increase (9.8% to 9.9%)	20,000,000		
6				
7	Grand Total	30,000,000		
8				
9				
10	EXPENSES			
11	Program/Project	Expenses in 10-yr Funded Strategy	Not Funded for Full Program Needs	Total Needed Revenue
12				
13	Pavement Overlay Program			
14	68th Ave W (200th to 208th)	900,000	-	900,000
15	33rd Ave W (184th to AMB)	1,200,000	-	1,200,000
16	188th St SW (44th to SR-99)	1,400,000	-	1,400,000
17	188th St SW (60th to 68th)	500,000	-	500,000
18	48th Ave W (194th to Transit Center)	900,000	-	900,000
19	Scriber Lake Road	500,000	-	500,000
20	Blue Ridge Drive	900,000	-	900,000
21	Alderwood Mall Parkway (AMB to 184th)	700,000	-	700,000
22	198th St SW (40th to 44th)	400,000	-	400,000
23	24th Ave W (196th to City limits)	300,000	-	300,000
24	58th Ave W (176th north to cul-de-sac)	300,000	-	300,000
25	Various Streets	3,000,000	-	3,000,000
26	Various Streets (Unfunded)	-	29,000,000	29,000,000
27	Subtotal	11,000,000	29,000,000	40,000,000
28				
29	Capital Projects Investment			
30	36th Ave W (Maple to 164th)	3,000,000	-	3,000,000
31	36th - Unfunded Portion	-	7,000,000	7,000,000
32	Poplar Way Bridge	6,000,000	-	6,000,000
33	Poplar Way - Unfunded Portion	-	29,000,000	29,000,000
34	Other projects (unfunded)	-	40,000,000	40,000,000
35	Subtotal	9,000,000	76,000,000	85,000,000
36				
37	New Sidewalks			
38	52nd Ave W (176th north to City limits)	1,500,000	-	1,500,000
39	60th Ave W (176th to 188th)	3,000,000	-	3,000,000
40	180th St SW (56th to 44th)	2,500,000	-	2,500,000
41	Spruce Road (172nd to Maple)	2,000,000	-	2,000,000
42	202nd St SW (68th to SR99)	1,000,000	-	1,000,000
43	Other projects (unfunded)	-	30,000,000	30,000,000
44	Subtotal	10,000,000	30,000,000	40,000,000
45				
46	Grand Total	30,000,000	135,000,000	165,000,000

Note: The above table does not include revenue deficits for operations/maintenance, traffic signal rebuild, ADA transition plan, sidewalk maintenance...

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**Special Meeting
April 20, 2016
7:00 P.M.**

ATTACHMENTS: None